

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BELINDA NIGRO,

Plaintiff,

v.

THOMAS DART,

Defendant.

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Case No. 17 C 3636

MEMORANDUM OPINION AND ORDER

Pro se prisoner plaintiff Belinda Nigro ("Nigro") has utilized the Clerk's-Office-supplied form of "Complaint Under the Civil Rights Act, Title 42 Section 1983" to charge Cook County Sheriff Thomas Dart with subjecting her to deplorable living conditions at the Cook County Department of Corrections ("County Jail") while she was in custody there during periods from December 29, 2016 to January 30, 2017 and March 3 to early May of this year. Although this Court issued a May 18 memorandum order identifying deficiencies in the Complaint and two other Clerk's-Office-supplied forms -- an In Forma Pauperis Application ("Application") and a Motion for Attorney Assistance ("Motion") -- Nigro's later submission of all three such revised documents has not cured the deficiencies identified in this May 18 memorandum order.

Because Nigro's continued failure to identify any efforts to exhaust administrative remedies at the County Jail, which 42 U.S.C. § 1997e(a) makes a precondition to filing suit, and because that defect is fatal to Nigro's proceeding in this District Court, both the Complaint and this action must be and are dismissed. Nonetheless, Nigro remains responsible for the \$350 filing fee payable in installments as provided in 28 U.S.C. § 1915 ("Section 1915"), and to that

end she is ordered to obtain and to file in the Clerk's Office on or before [21 days] a printout of transactions in her trust fund account for the six-month period beginning November 20, 2016 and ended May 9, 2017.¹ That filing should be identified by a handwritten heading "Nigro v. Dart, 17 C 3636" for the Clerk's information.

Accordingly both of Nigro's Applications (Dkt. Nos. 3 and 7) are granted to the limited extent prescribed by Section 1915. As for the Motion (Dkt. No. 8), it is still legally defective on its own, but it is simply denied as moot.



Milton I. Shadur
Senior United States District Judge

Date: July 11, 2017

¹ That date is the presumptive date of "filing" of Nigro's initial Complaint under the "mailbox rule" set out in Houston v. Lack, 487 U.S. 266 (1988).